

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Thus, claim 4 has been amended to delete reference to postoperative wound, chemical impairment and radiation injury, thus defining the skin wound as being selected from the group consisting of infectious disease in surgery, and vessel and lymphangiopathy.

Claim 8 has been cancelled in view of the amendments to claim 4.

The patentability of the presently claimed invention after entry of the foregoing amendments, over the disclosures of the references relied upon by the Examiner in rejecting the claims, will be apparent upon consideration of the following remarks.

Amended claim 4, the only independent claim under consideration, relates to a method for treating a skin wound and for alleviating pain associated with a skin wound which consists of administering to an affected part of a patient having the skin wound an effective dose of a medicine containing as an active ingredient acetylsalicylic acid or its pharmacologically acceptable salt, wherein said skin wound is selected from the group consisting of infectious disease in surgery, and vessel and lymphangiopathy.

The rejection of claims 4-5 and 8 under 35 U.S.C. §102(b) as being anticipated by Inamoto et al. (US '308/WO '525) as evidenced by Reller (US '548), as well as the rejection of claims 6-7 under 35 U.S.C. §103(a) based on these same references, are respectfully traversed.

Inamoto et al. relate to an external preparation having excellent antipruritic activity containing acetylsalicylic acid as an active ingredient. The reference also discloses that an aspirin preparation is effective for itching with such skin diseases as indicated in the Official Action at page 4, lines 1 to 4.

However, Inamoto et al. do not disclose that acetylsalicylic acid is useful for treating a skin wound selected from the group consisting of infectious disease in surgery, and vessel and lymphangiopathy, and for alleviating pain associated with such skin disease, by application to an affected part of a patient.

Reller discloses that acetylsalicylic acid is useful for treatment of inflammation of skin including dermatoses accompanied by inflammation, skin injury, contact burns and insect bites, by topical administration. Example II teaches that topical administration of aspirin is useful in reducing inflammation and the sensation of itching and pain. However, Reller does not disclose

that acetylsalicylic acid is useful for treating a skin wound selected from the group consisting of infectious disease in surgery, and vessel and lymphangiopathy and for alleviating pain associated with such skin disease, by application to an affected part of a patient.

Therefore, claims 4-5 are not anticipated by the references, nor are claims 6-7 suggested by the references.

The rejection of claims 4-8 under 35 U.S.C. §103(a) as being unpatentable over Mizobuchi et al. (US '355) in view of Lee et al. is respectfully traversed.

Mizobuchi et al. disclose external compositions which contain aspirin, which are stored for long times, and are asserted to be superior in dermal absorbability, and disclose that the compositions are effective for the treatment of skin injury in rats (skin on the back of rats punched out by a round punch).

However, Mizobuchi et al. do not disclose or suggest that acetylsalicylic acid is useful for treating a skin wound selected from the group consisting of infectious disease in surgery, and vessel and lymphangiopathy and for alleviating pain associated with such skin disease, by application to an affected part of a patient.

Lee et al. only disclose skin injury occurring in the operating room may occur as a result of electrical current, thermal injury, chemical irritation and mechanical stress. However, this reference does not disclose that acetylsalicylic acid is effective for treating such skin injury.

Thus, the subject matter of claims 4-7 is not suggested by a combination of Mizobuchi et al. in view of Lee et al.

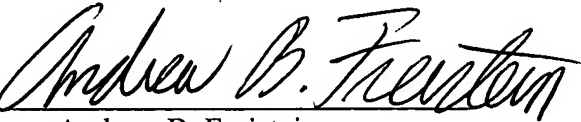
Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Information Disclosure Statement

The Examiner is kindly reminded that a Fourth Information Disclosure Statement was filed February 3, 2010, after issuance of the current Office Action. Consideration of the IDS is requested.

Respectfully submitted,

Yukiko INAMOTO et al.

By 

Andrew B. Freistein

Registration No. 52,917

for

Michael R. Davis

Registration No. 25,134

Attorney for Applicants

MRD/pth
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
March 24, 2010